

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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Raymond Johnson and Josephine Scott,	:	
h/w,	:	
	:	
Plaintiffs,	:	NO. 2:22-CV-03665
v.	:	
	:	
J. C. Penney Corporation, Inc., Old	:	
Copper Company, Inc., Penney OPCO	:	
LLC d/b/a JCPenney, Simon Property	:	
Group, Inc. and Brookfield Asset	:	
Management, Inc.,	:	
	:	
Defendants.	:	

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**STIPULATION**

The following IS HEREBY STIPULATED by and among the undersigned counsel that:

1. Defendant, Penney OPCO LLC d/b/a JCPenney, agrees that if liability is found, that it is responsible for the area in question, as alleged in Plaintiffs' Complaint. Penney OPCO LLC will not argue that the parties being dismissed without prejudice are responsible for the area in question.
2. Simon Property Group, Inc., Brookfield Asset Management, Inc., J. C. Penney Corporation, Inc., and Old Copper Company, Inc. are DISMISSED as parties to the above matter, without prejudice.
3. Plaintiffs shall have the opportunity to join any of the dismissed Defendants should they discover documentation and/or information identifying such party as potentially responsible/liable.
4. The caption shall be amended to read Raymond Johnson and Josephine Scott, h/w v. Penney OPCO LLC d/b/a JCPenney.

**HAGGERTY GOLDBERG SCHLEIFER  
& KUPERSMITH PC**

By:  \_\_\_\_\_

Jason R. Weiss, Esquire  
Attorney for Plaintiffs,  
Raymond Johnson and Josephine Scott

**WEBER GALLAGHER SIMPSON  
STAPLETON FIRES & NEWBY LLP**

By:  \_\_\_\_\_

Jennifer G. Shorr, Esquire  
Attorney for Defendant,  
Simon Property Group, Inc. and  
Penney OpCo, LLC (incorrectly  
identified as J.C. Penney  
Corporation, Inc.; JCPenney and  
Old Cooper Company, Inc.)

BY THE COURT:

\_\_\_\_\_  
J.